



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------|-------------|----------------------|---------------------|------------------|
| 10/708,971 | 04/05/2004 | Paul F. McMahan | 014682-000005 | 2970 |
| 44870 | 7590 | 08/09/2007 | | |
| MOORE & VAN ALLEN, PLLC For IBM | | | EXAMINER | |
| P.O. Box 13706 | | | PESIN, BORIS M | |
| Research Triangle Park, NC 27709 | | | ART UNIT | PAPER NUMBER |
| | | | 2174 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 08/09/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/708,971

Applicant(s)

MCMAHAN ET AL.

Examiner

Boris Pesin

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-14,16-20,22-28,30-37,39-44 and 46-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-14,16-20,22-28,30-37,39-44 and 46-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 5/7/2007.

Claims 1-4, 6-14, 16-20, 22-28, 30-37, 39-44, and 46-48 are pending in this application. Claims 1, 11, 19, 24, 33, and 42 are independent claims. In the amendment filed 5/7/2007, Claims 1, 6, 7, 9, 11, 17, 18, 19, 22, 24, 30, 31, 33, 37, 42, and 46 were amended and claims 5, 15, 21, 29, 38, and 45 were canceled. This action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, 7, 8, 10-14, 18-20, 23-28, 31-37, 41-44 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. ("Qian" US 2003/0145275) in view of Samaniego et al. (US 6792575).

As per claim 1, Qian teaches a portal comprising:

- at least one detachable portlet (Figure 1—*portlet 32*; Paragraph 0041)
- a detach feature associated with the at least one detachable portlet (Figure 1—*detach feature 34*) .

Qian does not teach a placeholder formed in the portal to represent the at least one detachable portlet when detached, wherein the placeholder is formed in response to the at least one detachable portlet being detached.

Samaniego teaches, “a small placeholder image is automatically displayed for the user instead of the actual data. The small placeholder image holds a place on a display device for the data or the embedded graphical image until the data or embedded graphical image is received. When embedded graphical image is received, the placeholder image is removed, and the display device is reformatted to display the embedded graphical image.” (Column 2, Lines 44-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Qian with the teachings of Samaniego and include a placeholder instead of the actual data with the motivation to provide the user a better understanding of how the web page is laid out, and to make sure the user is aware of the fact that there is data that is supposed to be in that location.

As per claim 2, Qian teaches that the detach feature comprises an icon (Figure 1—*detach icon 34*) to transfer the at least one detachable portlet to an independently managed window in response to the icon being activated (Paragraph 0041).

Claim 3 is similar in scope to claim 2, and is therefore rejected under similar rationale.

Claim 4 is similar in scope to claim 2, and is therefore rejected under similar rationale.

As per claim 7, Qian-Samaniego teaches a communication tunnel formable between the placeholder and the detached portlet/window for communication with the detached portlet through the portal (Samaniego, Column 2, Lines 44-51).

As per claim 8, Qian-Samaniego teaches that the detached portlet/window comprises a reattach feature to reattach the detached portlet/window in response to activating the reattach feature (Qian, Figure 1, Element 34).

Claim 10 is similar scope to claim 7, and is therefore rejected under similar rationale. The placeholder is a component of the portal/window environment; therefore there is tunneling communication between the portal/window environment and any detached portlets/windows.

Claims 11 and 42 are similar in scope to the combination of claims 1 and 8, and are therefore rejected under similar rationale.

Claims 12, 14, and 43 are similar in scope to claim 2, and are therefore rejected under similar rationale.

Claims 13 and 44 are similar in scope to claim 4, and are therefore rejected under similar rationale.

Claims 18, 31-32, 37, and 48 are similar in scope to claim 10, and are therefore rejected under similar rationale.

Claim 19 is similar in scope to the combination of claims 1 and 3, and is therefore rejected under similar rationale.

Claim 20 is similar in scope to claim 4, and is therefore rejected under similar rationale.

Claims 23, 28, and 34 are similar in scope to claim 8, and are therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 1, and is therefore rejected under similar rationale.

Claims 25-26 are similar in scope to claim 3, and are therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 4, and is therefore rejected under similar rationale.

As per claim 33, in addition to limitations described in the above rejection of claim 1, Qian teaches a system comprising a portal server (Figure 2—*server 202*; Paragraph 0033).

Claim 35 is similar in scope to claim 3, and is therefore rejected under similar rationale.

Claim 36 is similar in scope to claim 4, and is therefore rejected under similar rationale.

As per claim 41, Qian teaches a system comprising a page aggregation element to organize and present the at least one portlet to a user on the associated portal (Paragraph 0033—*default skin, cascading style sheet, and directory of images*). These

Art Unit: 2174

features embody a page aggregation element as is described in the applicant's Figure 4).

Claims 6, 9, 16-17, 22, 30, 39, and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. ("Qian" US 2003/0145275) in view of Samaniego et al. (US 6792575) and further in view of Becker et al. ("Becker" US 6,981,223).

As per claim 6, Qian and Samaniego fail to teach that the placeholder comprises a reattach feature. Becker teaches a multiple messaging window management system wherein the portal (*main window*) comprises a reattach feature (Figure 13—Dock Option 1204) to reattach (dock) the detached portlet (*window pane*) to the portal in response to activating the reattach feature (Figure 13, Column 19, lines 55-57).

It would have been obvious to a skilled artisan at the time of the invention to combine Becker's teaching with the method of Qian and Samaniego to give the user an additional option for reattaching the detached portlet, which would be beneficial in an instance where the detached portlet is hidden.

Claim 9 is similar in scope to the combination of claims 5-6 and 8, and is therefore rejected under similar rationale.

Claims 16-17, 22, 30, 39, and 46-47 are similar in scope to the combination of claims 6 and 8, and are therefore rejected under similar rationale.

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Qian-Samaniego in view of Fischer et al. ("Fischer" US 2003/0188163).

As per claim 40, Qian-Samaniego teaches all of the limitations of claim 33 above, but fails to teach that the portlets are contained in a portlet container. Fischer teaches a portal control system for invoking portlets that comprises a portlet container (Figure 6—*portlet container 60*) to contain the at least one portlet on the portal server (Paragraph 0003).

It would have been obvious to a skilled artisan at the time of the invention to cause portlets as taught by Qian-Samaniego to run in a portlet container as taught by Fischer in order to provide a common interface to all executable portals.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-14, 16-20, 22-28, 30-37, 39-44, and 46-48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6401134 Razavi et al.

Teaches attachable and detachable java applets.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100